



UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

**Caption in Compliance with D.N.J. LBR 9004-2(c)**

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Attorneys for Rushmore Loan Management Services, LLC as servicer for U.S. Bank Trust National Association, not in its individual capacity but solely as trustee for LB-Igloo Series IV Trust

In Re:

John P. Conklin  
Melissa A. Conklin  
Debtors

Order Filed on April 28, 2023  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

Case No.: 17-36011-MBK

Chapter: 13

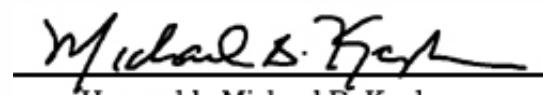
Hon. Judge: Michael B. Kaplan

Hearing Date: December 14, 2022, at  
9:00AM

**CONSENT ORDER RESOLVING MOTION TO VACATE STAY**

The consent order set forth on the following pages, numbered two (2) through four (4), is hereby **ORDERED**.

**DATED: April 28, 2023**

  
Honorable Michael B. Kaplan  
United States Bankruptcy Judge

Applicant: Rushmore Loan Management Services, LLC as servicer for U.S. Bank Trust National Association, not in its individual capacity but solely as trustee for LB-Igloo Series IV Trust

Applicant's Counsel: Friedman Vartolo LLP

Debtor's Counsel: Sadek and Cooper

Property (Collateral): 63 Guilford Pl, Burlington Township, NJ 08016

Relief Sought:

- Relief from Automatic Stay

For good cause shown, it is **ORDERED** that Applicant's Motion is resolved, subject to the following conditions:

1. Status of post-petition arrearages:

- The Debtor(s) is/are overdue for 28 months, from 12/01/2020 to 03/01/2023.
- The Debtor(s) is/are overdue for 16 payments at \$1,321.16 per month.
- The Debtor(s) is/are overdue for 11 payments at \$1,299.87 per month.
- The Debtor(s) is/are overdue for 1 payment at \$1,303.98 per month.
- The Debtor(s) is/are due for \$0.00 in accrued late charges.
- The Debtor(s) is/are due for \$200.00 in attorney's fees and costs.
- Applicant acknowledges suspense funds in the amount of \$673.39

Total Arrearages Due: \$36,067.72

2. Debtor(s) must cure all post-petition arrearages, as follows:

- Beginning on April 1, 2023 regular monthly mortgage payments shall continue to be made in the amount of \$1,303.98.
- Beginning on March 1, 2023 through and including July 1, 2023 additional monthly cure payments shall be made in the amount of \$6,011.28 for 5 months. Beginning on August 1, 2023, an additional cure payment shall be made in the amount of \$6,011.32.
- The amount of \$ \_\_\_\_\_ shall be capitalized in the debtor's Chapter 13 plan. Said amount shall be set up on Trustee's ledger as a separate Claim. Debtor(s) shall file a Modified Plan within 10 days from the entry of this Order to account for the additional arrears to be paid to the secured creditor via Chapter 13 Plan and to adjust monthly payments to the Chapter 13 Trustee accordingly.

3. Payments to the Secured Creditor shall be made to the following address:

Payments: Rushmore Loan Management Services  
P.O. Box 52708Irvine  
CA 92619-2708

4. In the event of default:

Should the Debtor(s) fail to make any of the above captioned payments, or if any regular monthly mortgage payment commencing after the cure of the post-petition delinquency is more than thirty (30) days late, counsel shall file a Certification of Default with the Court, a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtor(s), and Debtor('s) attorney and the court shall enter an Order granting relief from the Automatic Stay.

In the event the Debtor(s) converts to a Chapter 7 during the pendency of this bankruptcy case, the Debtor(s) shall cure all arrears within ten (10) days from the date of conversion in order to bring the loan contractually current. Should the Debtor(s) fail to bring the loan contractually current, counsel shall file a Certification of Default with the Court, a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtor(s), and Debtor('s) attorney and the court shall enter an Order granting relief from the Automatic Stay.

This agreed order survives any loan modification agreed to and executed during the instant bankruptcy. If any regular mortgage payment due after the execution of a loan modification is more than thirty (30) days late, counsel shall file a Certification of Default with the Court, a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtor(s), and Debtor('s) attorney and the court shall enter an Order granting relief from the Automatic Stay

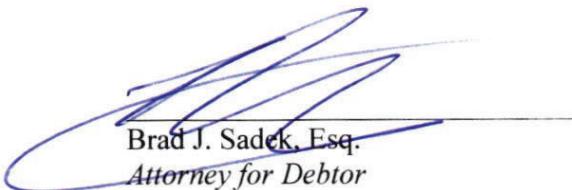
5. Award of Attorney's Fees:

The Applicant is awarded attorney's fees of \$200.00.

The fees and costs are payable:

- Attorney's fees and costs have been included in the Consent Order.
- Through the Chapter 13 plan. The fees/costs shall be set up as a separate claim to be paid by the Standing Trustee and shall be paid as an administrative claim.
- To the Secured Creditor within \_\_\_\_\_ days
- Attorney's fees are not awarded.
- Movant reserves its right to file a Post-Petition Fee Notice for fees and costs incurred in connection with the Motion for Relief.

The undersigned hereby consent to the form and entry of the foregoing order.



Brad J. Sadek, Esq.  
Attorney for Debtor

/s/ Jason Schwartz, Esq.  
Jason Schwartz, Esq.  
Attorney for Secured Creditor